

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LYNN ZELVIN,

Plaintiff,

-against-

PROTHERA, INC.,

Defendant.

23-cv-11078 (AS)

ORDER

ARUN SUBRAMANIAN, United States District Judge:

The parties in this case are scheduled to appear for an initial pretrial conference on April 4, 2024. Dkt. 5. The Court ordered them to submit a case-management plan and joint letter one week in advance of that date. *Id.* They have missed that deadline. Indeed, Defendant has not even appeared despite the answer being due more than two months ago. Dkt. 6.

By **April 1, 2024, at 5:00 p.m.**, Plaintiff shall submit a letter addressing whether he has had any contact with Defendant. Additionally, assuming Defendant's appearance is not on the horizon, Plaintiff should state whether he intends to file for default judgment or voluntarily dismiss his claims. A motion for default judgment will be due by **April 8, 2024, at 5:00 p.m.** Failure to file by this date **may result in dismissal** of Plaintiff's claims for failure to prosecute and failure to follow Court orders. Fed. R. Civ. P. 41(b).

SO ORDERED.

Dated: March 29, 2024
New York, New York



ARUN SUBRAMANIAN
United States District Judge